

CASE NUMBER: 034252/2022

NOTICE OF MOTION (Motion #001) - Notice of Motion to Dismiss in Lieu of an Answer

Document prepared for:
kevin barlow

CASE NAME

Rosemarie Mckinnis Est Of, Kathleen Mckinniss, Carin Rosado, James Finn Est Of, Geraldine Finn Exr v. Ecohealth Alliance Inc, Peter Daszak, Janet D Cottingham Aka, Janet Dasz...

CASE FILING DATE

Oct. 5th, 2022

DOCUMENT FILED DATE

Feb. 21st, 2023

COUNTY

Rockland county, NY

JUDGE

Sherri L Eisenpress

CATEGORY

Torts - Environmental (SARS-COV-2)

STATUS

Active

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

IN RE SARS-CoV-2;
KATHLEEN MCKINNISS, PROPOSED
REPRESENTATIVE OF THE ESTATE OF ROSEMARIE
MCKINNISS, DECEASED; CARIN ROSADO,
individually; and GERALDINE FINN, AS EXECUTOR OF
THE ESTATE OF JAMES FINN, DECEASED,

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NOTICE OF MOTION

Plaintiffs,

-against-

ECOHEALTH ALLIANCE, INC., PETER DASZAK,
JANET D. COTTINGHAM a/k/a JANET DASZAK,
RALPH BARIC, W. IAN LIPKIN, and JOHN AND JANE
DOES 1-1000,

Defendants.

PLEASE TAKE NOTICE that upon the annexed affirmation of ADAM R. DOLAN, ESQ., dated February 21, 2023, the exhibits annexed hereto, and upon all prior pleadings and proceedings heretofore had herein, the undersigned will move this Court at the Supreme Court of the State of New York, County of Rockland, at the courthouse located at 1 South Main Street, New City, New York 10956 on the **17th day of March, 2023 at 9:30 a.m.** in the forenoon of that day, or as soon thereafter as counsel can be heard, for an Order (1) pursuant to CPLR §3211(a)(1)(7)(8), dismissing the Plaintiffs' Complaint as to Defendant Dr. Ralph Baric, with prejudice; and (2) that Defendant Dr. Ralph Baric be granted any other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Rule 2214(b) of the CPLR, answering affidavits, if any, must be served at least seven (7) days before the return date of this motion.

Dated: Tarrytown, New York
February 21, 2023

GFELLER LAURIE LLP

By: _____

Adam R. Dolan, Esq.

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